

SENATE BILL 1720

By Ketron

AN ACT to amend Tennessee Code Annotated, Title 41, Chapter 8, relative to reimbursement of costs for felony detainees, alleged probation violators and convicted felons in local correctional facilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 41-8-103, is amended by deleting subdivision (6) in its entirety and substituting instead the following:

(6) "Detainee day" refers to each day a prisoner, convicted of a felony under state law, was held by a county prior to judgment, which shall include acquittal, prior to delivery to the department of correction;

SECTION 2. Tennessee Code Annotated, Section 41-8-106(c), is amended by deleting subdivision (1) and by substituting instead the following:

(1) Notwithstanding any other provision of the law to the contrary, counties shall be reimbursed for housing detainees, persons confined pursuant to § 40-35-311 and convicted felons for the department at a rate of not less than fifty dollars (\$50.00) per prisoner per day. If a county can demonstrate that its reasonable allowable costs in housing a prisoner exceeds this rate, it may be reimbursed for all reasonable allowable costs, including, but not limited to operational costs, personnel costs, transportation costs, medical costs, liability costs, capital expenditures and debt service associated with the county correctional facility. Such costs shall be reimbursed in accordance with the rules and regulations for determining reasonable allowable costs as promulgated by the department, in consultation with the comptroller of the treasury, but in no event shall the reimbursement be less than fifty dollars (\$50.00) per prisoner per day.

SECTION 3. This act shall take effect July 1, 2007, the public welfare requiring it.